



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,360	07/10/2001	Bruce H. Yaffe	A33809 - 068838.0101	8869
21003	7590	03/01/2006	EXAMINER	
BAKER & BOTTS 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			JARRETT, SCOTT L	
			ART UNIT	PAPER NUMBER
			3623	
DATE MAILED: 03/01/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,360

Applicant(s)

YAFFE ET AL.

Examiner

Scott L. Jarrett

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This **Final** Office Action is in response to Applicant's amendment filed December 22, 2005. Applicant's amendment canceled Claim 18. Currently Claims 1-17 and 19-24 are pending.

Response to Amendment

2. The objection to the Title is withdrawn in response to Applicant's amendment to the Title.
3. The objection under 37 CFR 1.75(c) of Claim 18 is withdrawn in response to Applicant's cancellation of Claim 18.

Response to Arguments

4. Applicant's arguments filed December 22, 2005 with respect to claims 1-17 and 19-24 have been fully considered but they are not persuasive. Specifically Applicant's argues that:

- the combination of Bansal et al. and Crici et al. is obvious only in light of the benefit of hindsight (Paragraph 3, Page 8); and
- that there is no suggestion and/or motivation to combine Bansal et al. and Crici et al. (Last Paragraph, Page 8) alleging that the systems/methods are very different ("dissimilar") specifically that Bansal et al. and Crici et al. teach different timeframes associated with the scheduling/notification of appointments and that users interact "very differently" with the systems/methods taught by Bansal et al. and Crici et al.; i.e.

passively in the case of Bansal et al. and interactively in the case of Crici et al.
(Paragraphs 1-2, Page 9).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both Bansal et al. and Crici et al. are clearly directed to the same field of endeavor, the managing participants schedules/calendars, and both provide/notify (present, display, etc.) meeting participants with up-to-date appointment schedules.

More specifically Bansal et al. teach a system and method for notifying customers (users, attendees) of the timeliness of a service provide (meeting attendee) in meeting scheduled appointments (Abstract; Figure 3) comprising a server and a plurality of attendee (customer, service provider) devices (access devices, personal computer, browser, etc.; Figure 1) that are used to notify (alert, present, etc.) one or more appointment participants, via a plurality of communication channels (e-mail, web page, etc.), of the of the timeliness of one or more attendees as well as enable attendees/participants to update schedule/calendar information via the plurality of user devices (Column 3, 33-65; Figure 3).

Crici et al. teach an online system and method for scheduling and modifying appointments between meeting participants (service receivers, customers, service providers, etc.) comprising a server and a plurality of appointment participant devices (Abstract; Paragraphs 0007-0008, 0016).

Further the Applicant's arguments that Bansal et al. and Crici et al. are dissimilar relies upon features which are not recited in the rejected claim(s) (i.e., scheduling of appointments, Paragraph 1, Page 9; timing/timeframe (future, imminent) of the notification of the timeliness of the appointment, Paragraph 1, Page 9). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Further it is noted that the labels applied to the participants in the scheduled appointments (service provider, customer, participant, attendee, etc.) merely represent non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific labels used to describe the one or more participants in the appointment (meeting). Further, the structural elements remain the same regardless of the specific labels used to describe the one or more participants in the appointment (meeting). Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

It is noted that the applicant did not challenge the Official Notice(s) cited in the previous office action(s) therefore those statements as presented are herein after prior art. Specifically it has been established that it was old and well known in the art at the time of the invention that:

- optical and/or coaxial cables are common infrastructure components/materials used in communication/computer networks; and
- browsers, such as Internet Explorer, Mosaic, Netscape Navigator, and the like, provide a look-up table for locating one or more web pages amongst a plurality of web pages; more commonly known as browser bookmarks, favorite links, browser history or

Art Unit: 3623

the like that enable users to manage, save and retrieve frequently accessed web sites/applications efficiently.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-17 and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bansal et al., U.S. Patent No. 6,898,569 and further in view of Crici et al., U.S. Patent Publication No. 2005/0027580.

Regarding Claim 1 Bansal et al. teach an advanced scheduling and notification system and method wherein the system determines if one or more meeting participants (attendees) is going to be delayed (untimely) in attending a scheduled appointment and then notifies, via a plurality of devices/communication channels (Internet, phone, voice mail, electronic mail, etc.), the other appointment participants (attendees) of the timelines of delayed participant (Abstract; Column 2, Lines 21-30; "I'm running 45 minutes late.", Column 4, Lines 28-29; Figures 1-3).

More specifically Bansal et al. teach an advanced scheduling and messaging system and method for notifying meeting participants of the timeliness of one or more meeting participants (attendees, users) in meeting a scheduled appointment comprising:

- providing information regarding the timeliness of one or more of an appointment's participants in meeting the scheduled appointment time wherein the

Art Unit: 3623

system (server, subsystem, component, web server, etc.) notifies meeting participants via a plurality of communication devices/channels (Internet web page, email, voice mail, etc.) of the timeliness of one or more meeting participants (i.e. providing an on-time web page; “..scheduling unit 300 may also place information on an Intranet, the Internet, or a World Wide Web page to be retrieved by the attendee...”, Column 4, Lines 5-9; Column 2, Lines 59-68; Figures 1-3); and

- at least one user (meeting participant, attendee) device (computer, system, phone, personal digital assistant, etc.) connected to the system receiving and displaying timeliness information/notifications (i.e. on-time web page; Column 3, Lines 51-68; Column 4, Lines 1-24);

- a user (meeting participant, attendee) device connected to the system sending (providing, entering, etc.) new and/or updated schedule information (Column 3, Lines 34-50) wherein the schedule information indicates changes in the timeliness of the user in meeting a scheduled appointment or appointments (“A user accesses a scheduling unit 300 through one or more access devices...”, Column 2, Lines 64-65; “One way the scheduling unit 300 may determine if a user will be late for an appointment is by direct user input.”, Column 4, Lines 37-38; Column 3, Lines 34-50; Column 4, Lines 14-62; Figure 3).

FIG. 1

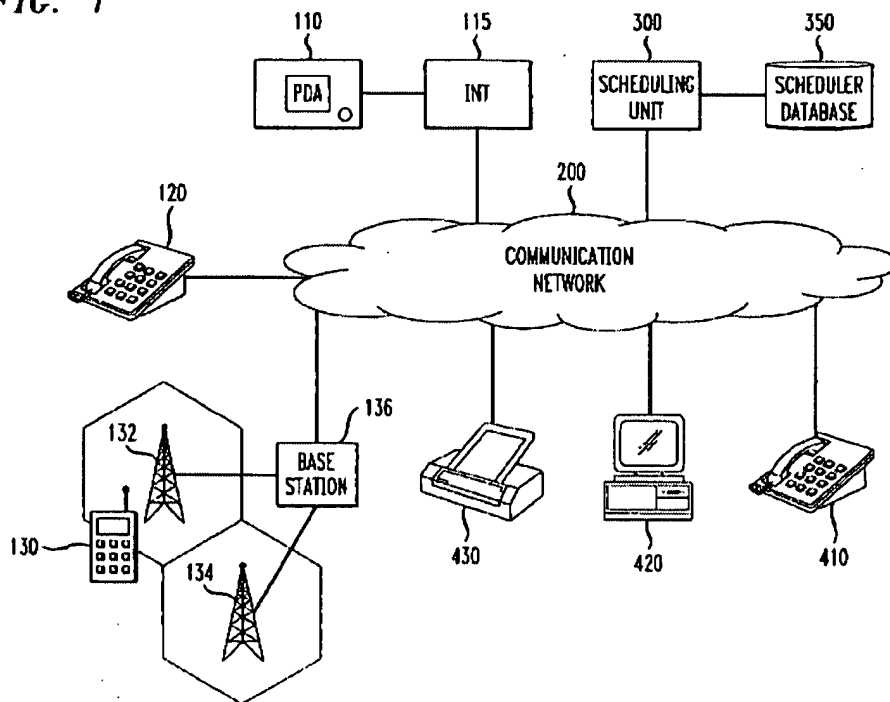
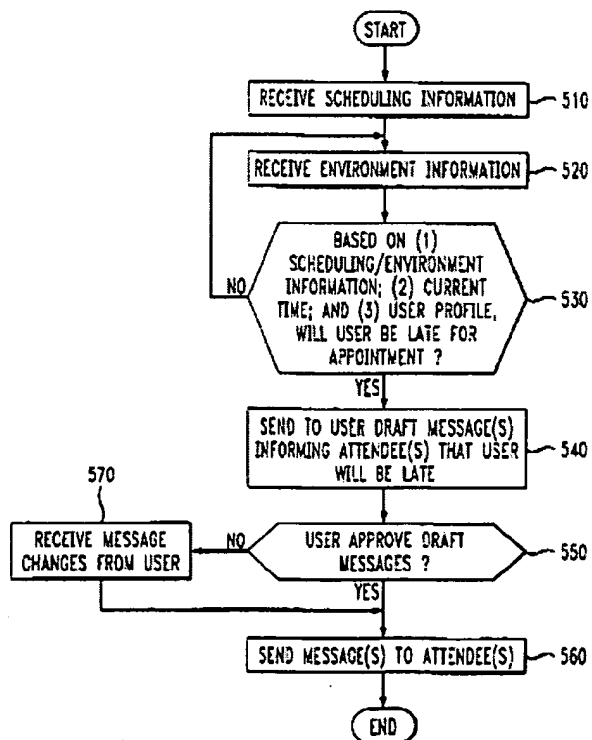


FIG. 3



Bansal et al. does not expressly teach limiting the advanced scheduling and notification system and method to appointments between customers and service providers as claimed.

Crici et al. teach the scheduling of appointments between customers (service receivers) and service providers (e.g. doctors/patients, consumers/mechanics), in an analogous art of appointment scheduling, for the purposes of enabling customers to reserve appointments with one or more service providers (Abstract; Paragraph 0007).

It would have been obvious to one skilled in the art at the time of the invention that the advanced scheduling and messaging system, with its ability to notify all meeting participants (users, meeting attendees) of the ability of all of the other meeting participant's to meet at the prearranged time and place (i.e. timeliness in meeting the schedule appointment), as taught by Bansal et al. would have been utilized to notify customers (service receivers) of the ability of a service provider to meet their schedule appointment with the customer (i.e. timeliness) in view of teachings of Crici et al.; the resultant system enabling service providers to notify their customers (meeting participant's, users, attendees) that they are "running late" and thereby allowing customers (users, other meeting participants) to appropriately adjust their schedules (e.g. cancel/reschedule their appointment) based on the service provider's timeliness (Bansal et al.: Column 4, Lines 27-35 and 54-55).

Regarding Claim 2 Bansal et al. teach a schedule notification system and method wherein the server comprising a computer network server (Column 2, Lines 62-68; Column 3, Lines 1-68; Column 4, Lines 1-12; Figures 1-2).

Regarding Claims 3-7 Bansal et al. teach a scheduling and notification system and method wherein all of the users of the system may access the system via a plurality of communication devices/channels as well as be provided with (notified of) information regarding the timeliness of meeting participants in meeting scheduled appointments via a plurality of devices including but not limited to: personal computer (desktop computer; Column 3, Lines 62-65; Figure 1, Element 420), a personal digital assistant (laptop, palmtop, etc.; Column 3, Lines 13-22) and a web appliance (i.e. a computer/computing device whose function is to connect to the Internet; e.g. PDAs, home networked computers, and the like; Column 3, Lines 13-22 and 56-65; Figure 1, Elements 110, 120, 130 and 420).

Regarding Claims 8 and 10-11 Bansal et al. teach a scheduling and notification system and method wherein users connect to the system via a plurality of communication mechanisms including hard-wired and wireless connections (PSTN, Internet, digital cellular, PCS, etc.; Column 3, Lines 1-25; Column 4, Lines 1-12; Figures 1-2, Element 200).

Bansal et al. is silent on the physical medium/material(s) utilized in implementing the communication network (Figure 1, Element 200). Specifically Bansal et al. does not expressly teach that the communication network utilizes optical (fiber-optic) or coaxial cables.

Official notice is taken that optical and/or coaxial cables are common infrastructure components/materials used in communication networks is old and very well known.

It would have been obvious to one skilled in the art at the time of the invention that the advanced scheduling and notification system and method, with its ability connect to users to scheduling information via plurality of communication mechanisms and devices over a communications network (e.g. Internet), as taught by Bansal et al. would have utilized well known communication network infrastructure, including fiber optic and/or coaxial cables.

Regarding Claims 9 and 12 Bansal et al. teach a scheduling and notification system and method wherein users connect to the system via a plurality of connection/communication mechanisms including hard-wired and wireless connections (PSTN, Internet, digital cellular, PCS, etc.; Column 3, Lines 1-25; Column 4, Lines 1-12; Figures 1-2, Element 200).

Regarding Claim 14 Bansal et al. teach a scheduling and notification system and method wherein the plurality of meeting participants access the system and timeliness information regarding a scheduled appointment via a plurality of devices/communication channels as discussed above. Specifically Bansal et al. teach that the system notifies the plurality of users of the ability of meeting participant(s) to meet a scheduled appointment by placing timeliness information on a World Wide Web page (i.e. on-time web page; "The scheduling unit 300 may also place information on an Intranet, the Internet, or a World Wide Web page to be retrieved by the attendee using the computer 420", Column 4, Lines 7-9); computers (devices) for viewing/accessing web pages inherently utilizing a browser (application, code, software, subsystem, system, etc.) that enables users to locate, access, view/display and interact with Internet/Web pages/files/programs.

Regarding Claim 15 Bansal et al. teach a scheduling and notification system and method wherein the system enables users to access the system via a plurality of devices (PDA, PC, IVR, etc.) and interfaces to enter/update schedule and timeliness information into the scheduler database (Column 2, Lines 64-68; Column 3, Lines 13-16 and 33-50; Figure 1, Elements 115 and 350).

While Bansal et al. teach providing schedule information via World Wide Web page (Column 4, Lines 7-9) and enabling users to enter schedule information via a plurality of interfaces Bansal et al. does not expressly teach that one of the plurality

Art Unit: 3623

interfaces provided for entering scheduling and/or notification information into the system is a web page (update web page) as claimed.

Crici et al. teach enabling service providers and service receivers to enter and update schedule information via an update web page displayed in a web browser, in an analogous art of appointment scheduling, for the purposes of enabling users to remotely enter and/or update (modify) schedule information into the Internet-based appointment scheduling system and method (Abstract; Paragraphs 0008, 0034 Figures 6-8).

It would have been obvious to one skilled in the art at the time of the invention that scheduling and notification system and method, with its ability to provide schedule timeliness information via World Wide Web page and enable users to enter schedule information via a plurality of interfaces, would have benefited from providing an update web page (web form, web interface) to enable users (service providers and service receivers) to enter and update schedule information remotely in view of the teachings of Crici et al.; the resultant system providing users with remote access to the timeliness information (Crici et al.: Paragraph 0034).

Regarding Claim 16 Bansal et al. teach a scheduling system and method wherein the system (server) comprises:

- a database (data set, files, etc.) for storing schedule information (Column 3, Lines 33-50; Figures 1-2, Element 350); and
- a computer (terminal, device, etc.) for displaying on-time web page received from the system based on updated information received (Column 3, Lines 56-68; Column 4, Lines 1-12; "The scheduling unit 300 may also place information on an Intranet, the Internet, or a World Wide Web page to be retrieved by the attendee using the computer 420", Column 4, Lines 6-9); computers (devices) for viewing/accessing web pages inherently utilizing a browser (application, code, software, subsystem, system, etc.) that enables users to locate, access, view/display and interact with Internet/Web pages.

Bansal et al. does not expressly teach that the browser software/application utilized to view service provider timeliness information provides a look-up table for locating the on-time and update web pages amongst a plurality of web pages (e.g. browser bookmark/favorite links, browser history).

Official notice is taken that it is old and very well known that browsers, such as Internet Explorer, Mosaic, Netscape Navigator, and the like, provide a look-up table for locating one or more web pages amongst a plurality of web pages; more commonly known as browser bookmarks, favorite links, browser history or the like that enable

users to manage, save and retrieve frequently accessed web sites/applications efficiently.

It would have been obvious to one skilled in the art at the time of the invention that the system and method for providing schedule timeliness information, with its ability to enable users to access the system via an Internet web page (inherently utilizing a well known and very old browser subsystem), as taught by Bansal et al. would have benefited from enabling users to bookmark the system (application, web pages, etc.) utilizing the browser's bookmark and/or favorites capabilities (i.e. store the system's URL in a lookup table/list) in view of official notice; the resultant system providing user with a convenient mechanism for saving and retrieving frequently accessed web sites/applications.

Regarding Claim 17 Bansal et al. teach a scheduling and notification system and method wherein users enter new/updated schedule and timeliness information as discussed above. Bansal et al. more specifically teaches that the scheduling and notification system and method comprises:

- a user device (PDA, laptop, PC, etc.) connected to the system (server) sending updated timeliness information to the server indicating changes in timeliness (Column 3, Lines 7-55; "With one or more of these access devices 110, 120, 130, the user may enter information about an appointment, such as the date, time and place of a meeting, and a list of attendees into the scheduling unit 300.", Column 3, Lines 33-36; "A user

Art Unit: 3623

accesses a scheduling unit 300 through one or more access devices...", Column 2, Lines 64-65; "One way the scheduling unit 300 may determine if a user will be late for an appointment is by direct user input.", Column 4, Lines 37-38 Figures 1-2); and

- a user device comprising a computer (laptop, PC, etc.) for displaying an interface (screen, form, etc.) through which new/updated timeliness information can be entered and sent to the system (server) which receives and displays (indicates) the updated information (Column 3, Lines 56-68; Column 4, Lines 1-12).

Bansal et al. does not expressly teach limiting the advanced scheduling and notification system and method to appointments between customers and service providers or that one of the plurality interfaces provided for entering scheduling and/or notification information into the system is a web page (update web page) as claimed.

Crici et al. teach the scheduling of appointments between customers (service receivers) and service providers (e.g. doctors/patients, consumers/mechanics), in an analogous art of appointment scheduling, for the purposes of reserving an appointment with a service provider at a specified place and time (Abstract; Paragraph 0007).

Crici et al. further teach enabling service providers and service receivers to enter and update schedule information via an update web page displayed in a web browser for the purposes of enabling users to remotely enter and/or update (modify) schedule information into the Internet-based appointment scheduling system and method (Abstract; Paragraphs 0008, 0034 Figures 6-8).

It would have been obvious to one skilled in the art at the time of the invention that the advanced scheduling and messaging system, with its ability to notify all meeting participants (users, meeting attendees) of the ability of all of the other meeting participant's to meet at the prearranged time and place (i.e. timeliness in meeting the schedule appointment), as taught by Bansal et al. would have been utilized to notify customers (service receivers) of the ability of a service provider to meet their scheduled appointments with the customers (i.e. timeliness) in view of teachings of Crici et al.; the resultant system enabling service providers to notify their customers (meeting participant's, users, attendees) that they are "running late" and thereby allowing customers (users, other meeting participants) to appropriately adjust their schedules (e.g. cancel/reschedule their appointment) based on the service provider's timeliness (Bansal et al.: Column 4, Lines 27-35 and 54-55).

Further it would have been obvious to one skilled in the art at the time of the invention that scheduling and notification system and method, with its ability to provide schedule timeliness information via World Wide Web page and to enable users to enter schedule information via a plurality of interfaces, would have benefited from providing an update web page (web form, web interface) to enables users (service providers and service receivers) to enter/update schedule information remotely in view of the teachings of Crici et al.; the resultant system providing users with remote access to the timeliness information (Crici et al.: Paragraph 0034).

Regarding Claim 19 Bansal et al. teach an advanced scheduling and messaging system for notifying meeting participants of the timeliness of one or more meeting participants (attendees, users) in meeting a scheduled appointment comprising:

- requesting and providing schedule timeliness information via an on-time web page (Column 3, Lines 51-68; Column 4, Lines 1-10);
- accessing a database to retrieve timeliness information (Column 3, Lines 33-55; Figures 1-2, Element 350); and
- displaying an on-time web page on a computer (Column 3, Lines 56-68; Column 4, Lines 1-12; "The scheduling unit 300 may also place information on an Intranet, the Internet, or a World Wide Web page to be retrieved by the attendee using the computer 420", Column 4, Lines 6-9); computers (devices) for viewing/accessing web pages inherently utilizing a browser (application, code, software, subsystem, system, etc.) that enables users to locate, access, view/display and interact with Internet/Web pages.

Bansal et al. does not expressly teach limiting the advanced scheduling and notification system and method to appointments between customers and service providers as claimed.

Crici et al. teach the scheduling of appointments between customers (service receivers) and service providers (e.g. doctors/patients, consumers/mechanics), in an analogous art of appointment scheduling, for the purposes of remotely reserving an

Art Unit: 3623

appointment with a service provider at a specified place and time (Abstract; Paragraph 0007).

It would have been obvious to one skilled in the art at the time of the invention that the advanced scheduling and messaging system, with its ability to notify all meeting participants (users, meeting attendees) of the ability of all of the other meeting participant's to meet at the prearranged time and place (i.e. timeliness in meeting the schedule appointment), as taught by Bansal et al. would have been utilized to notify customers (service receivers) of the ability of a service provider to meet their schedule appointment with the customer (i.e. timeliness) in view of teachings of Crici et al.; the resultant system enabling service providers to notify their customers (meeting participant's, users, attendees) that they are "running late" and thereby allowing customers (users, other meeting participants) to appropriately adjust their schedules (e.g. cancel/reschedule their appointment) based on the service provider's timeliness (Bansal et al.: Column 4, Lines 27-35 and 54-55).

Regarding Claim 20 Bansal et al. teach a scheduling and notification system and method further comprising updating the information indicating timeliness (Column 2, Lines 64-68; Column 3, Lines 13-16 and 33-50; Figure 1, Element 115).

Regarding Claims 21-22 Bansal et al. teach a scheduling and notification system and method further comprising updating and indicating (displaying, providing, etc.) timeliness (schedule) information comprising:

- enabling users to access the system via a plurality of devices (PDA, PC, IVR, etc.) and interfaces to enter/update appointment information into the scheduler database (Column 2, Lines 64-68; Column 3, Lines 13-16 and 33-50; Figure 1, Element 115);
- sending (providing, storing, saving, etc.) updated schedule information to the database/system (Column 3, Lines 33-50; Figure 1, Element 350; Figure 3); and
- modifying schedule information to indicate updated timeliness (Column 4, Lines 14-62; Figure 3).

While Bansal et al. teach providing schedule information via World Wide Web page and enabling users to enter schedule information via a plurality of interfaces Bansal et al. does not expressly teach that one of the plurality interfaces provided for entering scheduling and/or notification information into the system is a web page (update web page) as claimed.

Crici et al. teach that updating appointment schedule information further comprises (Abstract; Figures 6-8):

- requesting/providing an update web page that enables user to select appointments/schedule information to be updated (Paragraphs 0008, 0016, 0034);

- saving the updated schedule information (Paragraphs 0008, 0016, 0034); and
- updating/modifying service provider and service receiver schedules to reflect updated scheduling information (Paragraphs 0016, 0034); and
- displaying (providing, receiving) the updated schedule information via a web page after the updated information has been modified ("The displays accessed by both the service receivers and service providers are updated continuously as appointments are made and changed.", Paragraph 0034).

in an analogous art of appointment scheduling, for the purposes of enabling users to remotely schedule appointments.

It would have been obvious to one skilled in the art at the time of the invention that scheduling and notification system and method, with its ability to provide schedule timeliness information via World Wide Web page and enable users to enter schedule information via a plurality of interfaces, would have benefited from providing an update web page (web form, web interface) to enables users (service providers and service receivers) to enter and update schedule information remotely in view of the teachings of Crici et al.; the resultant system providing users with remote access to the timeliness information (Crici et al.: Paragraph 0034).

Regarding Claims 23-24 Bansal et al. teach a scheduling and notification system and method further comprising updating and indicating (displaying, providing, etc.) timeliness (schedule) information comprising:

- enabling users to access the system via a plurality of devices (PDA, PC, IVR, etc.) and interfaces to enter/update appointment information into the scheduler database (Column 2, Lines 64-68; Column 3, Lines 13-16 and 33-50; Figure 1, Element 115);
- sending (providing, storing, saving, etc.) updated schedule information to the database/system (Column 3, Lines 33-50; Figure 1, Element 350; Figure 3); and
- modifying schedule information to indicate updated timeliness (Column 4, Lines 14-62; Figure 3).

While Bansal et al. teach providing schedule information via World Wide Web page and enabling users to enter schedule information via a plurality of interfaces Bansal et al. does not expressly teach that one of the plurality interfaces provided for entering scheduling and/or notification information into the system is a web page (update web page) as claimed.

Crici et al. teach the scheduling of appointments between customers (service receivers) and service providers (e.g. doctors/patients, consumers/mechanics), in an analogous art of appointment scheduling, for the purposes of reserving an appointment with a service provider at a specified place and time (Abstract; Paragraph 0007).

Crici et al. further teach that updating appointment schedule information further comprises (Abstract; Figures 6-8):

- requesting/providing an update web page that enables user to select appointments/schedule information to be updated (Paragraphs 0008, 0016, 0034);
- saving the updated schedule information (Paragraphs 0008, 0016, 0034); and
- updating/modifying service provider and service receiver schedules to reflect updated scheduling information (Paragraphs 0016, 0034); and
- displaying (providing, receiving) the updated schedule/timeliness information via a web page after the updated information has been modified ("The displays accessed by both the service receivers and service providers are updated continuously as appointments are made and changed.", Paragraph 0034).

in an analogous art of appointment scheduling, for the purposes of enabling users to remotely schedule appointments.

It would have been obvious to one skilled in the art at the time of the invention that the advanced scheduling and messaging system, with its ability to notify all meeting participants (users, meeting attendees) of the ability of all of the other meeting participant's to meet at the prearranged time and place (i.e. timeliness in meeting the schedule appointment), as taught by Bansal et al. would have been utilized to notify customers (service receivers) of the ability of a service provider to meet their schedule appointment with the customer (i.e. timeliness) in view of teachings of Crici et al.; the resultant system enabling service providers to notify their customers (meeting

Art Unit: 3623

participant's, users, attendees) that they are "running late" and thereby allowing customers (users, other meeting participants) to appropriately adjust their schedules (e.g. cancel/reschedule their appointment) based on the service provider's timeliness (Bansal et al.: Column 4, Lines 27-35 and 54-55).

Further it would have been obvious to one skilled in the art at the time of the invention that scheduling and notification system and method, with its ability to provide schedule timeliness information via World Wide Web page and enable users to enter schedule information via a plurality of interfaces, would have benefited from providing an update web page (web form, web interface) to enables users (service providers and service receivers) to enter and update schedule information remotely in view of the teachings of Crici et al.; the resultant system providing users with remote access to the timeliness information (Crici et al.: Paragraph 0034).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Martin et al., U.S. Patent No. 5,809,479, teach a system and method for notifying customers of the timeliness of a service provider.
- Fisher et al., U.S. Patent No. 6,047,264, teach a system and method for notifying customers of the timeliness of a service provider comprising a plurality of customer/service provider devices and a server.
- Davidson et al., U.S. Patent No. 7,003,720, teach a system and method for managing a calendar of appointments between customers and service providers.

- Scheuring et al., U.S. Patent Publication No. 2002/0131565, teach a system and method for scheduling appointments and notifying users of the timeliness of appointment participants.

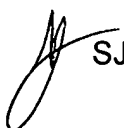
- Selent, Harry, U.S. Patent Publication No. 2002/0191035, teach a system and method for managing appointments between customers and service providers wherein the appointment/schedule is created and updated via a database system/subsystem.

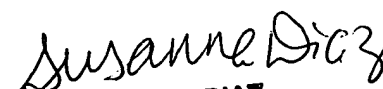
- Perrella et al., U.S. Patent Publication No. 2003/0004776, teach a system and method for notifying a user of the timeliness of another user.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 SJ - 2/26/2006


SUSANNA M. DIAZ
PRIMARY EXAMINER

Au 3623